

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

JEROME ARELLANEZ	§	
	§	
Plaintiff,	§	
v.	§	CAUSE NO. EP-19-CV-00187-KC-MAT
	§	
OFFICER RAUL MORALES	§	
	§	
Defendants.	§	

**SECOND MOTION TO EXTEND DISPOSITIVE MOTIONS DEADLINE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant, El Paso Police Department Officer Raul Morales (hereinafter "Morales"), by and through his attorneys of record, and file this, his Second Motion to Extend Dispositive Motions Deadline, and in support thereof would show the Honorable Court as follows:

**I. BACKGROUND**

1. Plaintiff, Jerame Arellanez has spent all of his time during the pendency of this case incarcerated in detention facilities within the Texas Department of Criminal Justice-Institutional Division. Officer Morales previously filed a Motion to Extend Discovery and Dispositive Motions Deadlines. (Doc. # 98). Thereafter, Officer Morales filed his Second Motion to Extend Discovery Deadline, (Doc. # 120), on July 22, 2021. The Magistrate Court granted that motion and extended the discovery deadline and set "a status hearing on discovery deadlines" be held on October 7, 2021. (Doc. # 122, p. 1). Officer Morales

did not raise the issue of the dispositive motions deadline in his Second Motion to Extend Discovery Deadline, (see Doc. # 120), nor did the Magistrate Court raise the issue in its Order. (See Doc. # 122).

## **II. MOTION TO EXTEND DISPOSITIVE MOTIONS DEADLINE**

2. For the very same reasons that were explained in his Second Motion to Extend Discovery Deadline, (Doc. # 120), Officer Morales seeks to move the dispositive motions deadline. Further, as the Magistrate Court has already extended the discovery deadline to a date unknown in the future so that undersigned counsel may depose the Plaintiff, it follows that the dispositive motions deadline, which would rely on the discovery produced in the case, to be moved as well. It could, and likely would, prejudice one or both parties to attempt to litigate dispositive motions in this matter without the benefit of a single deposition having been taken, especially when such is not the fault of either party.

## **III. CERTIFICATE OF CONFERENCE**

5. Because Plaintiff is an inmate in a prison facility undersigned counsel may not call to determine Plaintiff's position on the relief requested.

WHEREFORE, PREMISES CONSIDERED, Defendants, El Paso Police Department Officer Raul Morales pray that the Court extend the dispositive motions deadline until after the Magistrate Court

sets a new discovery deadline in this matter.

Respectfully submitted,

**JIM DARNELL, P.C.**

310 N. Mesa, Suite 212

El Paso, Texas 79901

Phone: (915) 532-2442

Fax: (915) 532-4549

By: /s/ Jeep Darnell

**Jim Darnell**

[jdarnell@jdarnell.com](mailto:jdarnell@jdarnell.com)

State Bar No. 05391250

**Jeep Darnell**

[jedarnell@jdarnell.com](mailto:jedarnell@jdarnell.com)

TX State Bar No. 24075845

NM State Bar No. 143950

**Cris Estrada**

[Cestrada@jdarnell.com](mailto:Cestrada@jdarnell.com)

TX State Bar No. 24105845

NM State Bar No. 151095

**Attorneys for**

**Officer Raul Morales**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18<sup>th</sup> day of August, 2021, a true and correct copy of the foregoing document has been electronically filed via the CM/ECF system and mailed via certified mail, return receipt requested to Plaintiff at TDCJ, Segovia Unit, 1201 El Cibolo Rd., Edinburg, Texas 75842.

/s/ Jeep Darnell  
Jeep Darnell